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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,160	08/05/2003	Kouji Kanzaki	35996	6328

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PEARNE & GORDON LLP  
1801 EAST 9TH STREET  
SUITE 1200  
CLEVELAND, OH 44114-3108

EXAMINER

STINSON, FRANKIE L

ART UNIT

PAPER NUMBER

1746

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/634,160

Applicant(s)

KANZAKI ET AL.

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/4/2003</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Japan'227 (Japan 1-305227).

Re claims 1-3, note that Japan'227 discloses a high frequency heating apparatus including a high frequency generating part for supplying a high frequency into a heating chamber for accommodating an object to be heated and a steam generating part ( 3) having an evaporating dish (2) disposed inside the heating chamber for storing water and an evaporating dish heating unit for heating the evaporating dish to generate steam, the steam generating part for supplying steam into the heating chamber, in which the high frequency generating part and the steam generating part supply at least any one of the high frequency and steam into the heating chamber to heat-treat the object to be heated, the high frequency heating apparatus comprising: a control part (see abstract, cooking mode or cleaning mode) having a heating chamber cleaning mode for automatically supplying steam into the heating chamber by the steam generating part to clean soil inside the heating chamber, and an evaporating dish cleaning mode for pumping a cleaning liquid into the evaporating dish and heating it by the evaporating dish heating unit to clean soil on the evaporating dish; and a signal input unit for allowing the control part to implement any one of the cleaning modes. The signal input is inherent. Re claims 4 and 6, note the water supply (4).

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan'227 in view of Japan'843 (Japan 2001-355843).

Claim 5 defines over the applied prior art only in the recitation of the circulation fan.

Japan'843 is cited disclosing in a high frequency generating device the fan (17) as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Japan'227, to include a fan (which the examiner believes to be typical in all microwaves), as taught by Japan'843, for the purpose of circulating high frequency through the chamber. Re claim 7, although Japan'227 is silent with regard to a pump, means must obviously be provided to supply the water to the dish. Nonetheless to employ one means over another is deemed to be an obvious substitution of equivalents (see MPEP 2144.06 SUBSTITUTING EQUIVALENTS KNOWN FOR THE SAME PURPOSE). Re claim 8, to generate steam, it is the understanding that the water should be heated to at least 100°C at normal atmospheric pressure. Therefore the predetermined is believed to be inherent. Re claim 9, to include an additive for cleaning, it old and well known and to do so in Japan'227 would have been obvious. And the specific type is clearly dependent upon the article to be cleansed.

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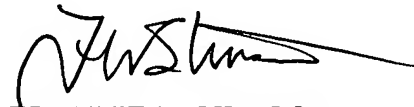
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In WIPO WO 97/01065, Japan'919, Japan'952, EPO'090, EPO'772, EPO'211, WIPO 99/3347, note the steam generating means.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls

  
FRANKIE L. STINSON  
Primary Examiner  
GROUP ART UNIT 1746